

**SEVENTH DAY**  
(Monday, January 26, 1981)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Vale, Williams, Wilson.

Absent-excused: Andujar, Farabee.

A quorum was announced present.

The Reverend Dr. Gerald Mann, Senate Chaplain, offered the invocation as follows:

Our Father, give us the courage today to face the storms without squalls.  
Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 22, 1981, was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Andujar was granted leave of absence for today on account of illness on motion of Senator Meier.

Senator Farabee was granted leave of absence for today on account of important business on motion of Senator Jones.

**MESSAGE FROM THE HOUSE**

House Chamber  
January 26, 1981

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 22**, Inviting the Honorable George Bush to address a Joint Session of the House of Representatives and the Senate.

**H.C.R. 9**, Commemorating the 100th anniversary of the birth of General Douglas MacArthur.

**S.C.R. 18**, In memory of former State Welfare Commissioner Raymond Vowell.

**S.C.R. 17**, In memory of Dr. Dewitt Reddick.

**S.C.R. 15,** In memory of Dr. James E. Peavy, former Texas Commissioner of Health.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**CO-AUTHORS OF SENATE BILL 1**

On motion of Senator Doggett and by unanimous consent, Senators Kothmann and Snelson will be shown as Co-authors of **S.B. 1**.

**CO-AUTHORS OF SENATE BILL 3**

On motion of Senator Doggett and by unanimous consent, Senators Kothmann and Snelson will be shown as Co-authors of **S.B. 3**.

**CO-AUTHOR OF SENATE BILL 89**

On motion of Senator Brooks and by unanimous consent, Senator Mauzy will be shown as Co-author of **S.B. 89**.

**SENATE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

**S.B. 238** by Brown, Brooks Economic Development  
Relating to a disannexation and municipal incorporation procedure for residents of certain areas annexed by a home-rule city.

**S.B. 239** by Harris, McKnight Education  
Relating to the designation of The Erwin Center at The University of Texas at Austin.

**S.B. 240** by Mauzy Jurisprudence  
Relating to employment benefits for state employees working outside this state.

**S.B. 241** by Caperton Intergovernmental Relations  
Relating to subdivision regulation by certain counties.

**S.B. 242** by Kothmann Jurisprudence  
Relating to the reporting and investigation of child abuse.

**S.B. 243** by McKnight Finance  
Relating to the sale of aviation fuel by aviation fuel dealers.

**S.B. 244** by Williams Finance  
Relating to the exemption of certain buildings of veterans organizations from taxation.

**S.B. 245** by Williams State Affairs  
Relating to the composition of the Veterans Affairs Commission.

- S.B. 246** by Williams State Affairs  
Relating to Texas National Guard participation in ceremonial military burial services at funerals of military veterans.
- S.B. 247** by Williams State Affairs  
Relating to the requirement that motor vehicle title transfers be notarized.
- S.B. 248** by Mengden, Parker, Sarpalius Jurisprudence  
Relating to consent for the performance of an abortion on certain minors; providing penalties.
- S.B. 249** by Mengden, Sarpalius Jurisprudence  
Relating to certain abortions in tax-supported medical facilities.
- S.B. 250** by Farabee Natural Resources  
Relating to license requirements for bait dealers.
- S.B. 251** by Meier Jurisprudence  
Relating to creation of solar easements.
- S.B. 252** by Meier Finance  
Relating to the taxation of certain motor fuels containing ethyl alcohol.
- S.B. 253** by Doggett Jurisprudence  
Relating to certain rights of judges investigated by the State Commission on Judicial Conduct and annual reports by the commission.
- S.B. 254** by Doggett Human Resources  
Relating to continuation of the State Board of Dental Examiners and regulation of dentists, dental hygienists, dental technicians, and dental laboratories.
- S.B. 255** by Richards Human Resources  
Relating to certain information to be required in birth or death certificates; amending Section 14, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Rule 47a, Article 4477, Vernon's Texas Civil Statutes), to clarify the scope of information required; and declaring an emergency.
- S.B. 256** by Richards Human Resources  
Relating to the laboratory reporting law in the changing of the term venereal diseases to sexually transmissible diseases and expansion of those diseases to include others as may be identified by the Texas Board of Health; the name changing of Communicable Disease Services Section to Communicable Disease Services Bureau and local health director to local health authority; the allowing of earlier communication with patients or potential contacts with prior consent of the attending physician or appropriate medical facility official; the expansion of confidentiality; limiting all laboratory tests to be only suggestive and not diagnostic or morbidity reporting of sexually transmissible diseases; giving the Texas Department of Health injunctive relief; and placing venue in Travis County; amending Chapter 537, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 4445c, Vernon's Texas Civil Statutes).
- S.B. 257** by Richards Human Resources  
Relating to the confidentiality of information and reports concerning persons infected with venereal diseases; amending Section 8, p. 179, Chapter 85, Acts of

The resolution was read.

On motion of Senator Travis and by unanimous consent, the resolution was considered immediately and was adopted.

#### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas  
January 26, 1981

TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:

So that the Legislature may consider immediately many of the items discussed in my "State of the State" address, and other important matters, and pursuant to the provisions of Article III, Section 5 of the Constitution of Texas, I herewith submit as an emergency matter the following:

#### PUBLIC EDUCATION

- 1). Teacher Competency Testing. Senate Bill 50 by Farabee and House Bill 295 by Peveto would set up a system prescribing classes of teaching certificates and require the passing of a competency test prescribed by the State Board of Education prior to teacher certification.
- 2). Curriculum Revision. House Bill 316 by Delco and Senate Bill 208 by Travis establishes certain curriculum content areas that each district must make available and specifies that the State Board of Education shall designate the essential elements of each curriculum area.
- 3). Master Teacher Position. House Bill 417 by Jackson and Senate Bill 206 by Ogg will establish the position of master teacher to recognize and reward those teachers who demonstrate the highest professional classroom performance.
- 4). Summer School Pilot Program. Senate Bill 207 by Ogg establishes a pilot program to allow some districts to set up summer school programs to help those who do not pass subjects, allow gifted and talented to take accelerated courses, and to help limited English proficient students.
- 5). School-Community Guidance Center. House Bill 354 by Smith would expand the pilot program instituted last session which allowed the establishment of alternative learning centers to assist children with behavioral disorders which interfere with their education.
- 6). Vocational-Occupational Training Study. A Concurrent Resolution will be introduced that will call for the State Board of Education to contract with an outside entity to study and make recommendations regarding a comprehensive state vocational-occupational program.

**ANTI-CRIME PACKAGE**

- 1). Wiretap. Senate Bill 120 by Howard and House Bill 360 by Bock provides for wiretapping only in narcotics or controlled substance cases, with strict safeguards and protection of privacy.
- 2). Permitting Oral Confessions. Senate Bill 121 by Glasgow and House Bill 361 by Rudd will bring Texas in line with other states and the federal judicial system in allowing oral confessions.
- 3). Instruction of Jury as to Parole Laws. Senate Bill 122 by Brown and House Bill 362 by Henderson will take the blindfold off of the juries as to parole eligibility and good time credits.
- 4). Amendment to the Shock Probation Law. Senate Bill 123 by Brooks and House Bill 363 by Bock provides the necessary restrictions to ensure that shock probation is limited to non-violent felony first offenders who plead guilty and do not appeal.
- 5). Amendments to the Aggravated Rape and Sexual Abuse Statutes. Senate Bill 124 by Blake and House Bill 364 by Schlueter will redefine aggravated rape and aggravated sexual abuse to include placing the victim or another in fear of imminent death, serious bodily injury, or kidnapping while carrying out the rape or sexual abuse.
- 6). Board of Pardons and Paroles - Amendments. Senate Bill 125 by Farabee and House Bill 365 by Geistweidt will provide for the certification of halfway houses to assist parolees to re-enter the free world and provide changes for better administration and operation of the Board of Pardons and Paroles.
- 7). Offenses Against Children. Senate Bill 126 by Kothmann and House Bill 366 by Semos will increase the penalty for rape, sexual abuse, and serious bodily injury to a child to a first degree felony making the punishment fit the offense.
- 8). Statutory Authority to Continue Activities of the Criminal Justice Division and Administration of the Criminal Justice Planning Fund. Senate Bill 127 by Meier and House Bill 367 by Lewis will create statutorily the Criminal Justice Advisory Board and the day-to-day operation of the Criminal Justice Division in the Governor's Office and provide for the administration of the Criminal Justice Planning Fund.
- 9). Bail Bond. Senate Bill 128 by Mengden and House Bill 368 by Schlueter will provide necessary revisions to the current County Bail Bond Board Law to provide the necessary authority for the County Bail Bond Boards to regulate the bail bond industry, provide for certain record keepings and licensing requirements.
- 10). Ordinance Authority - Materials Harmful to Minors. Senate Bill 129 by Mengden and House Bill 369 by Waldrop provides local, city or county ordinance authority to regulate the location, display, etc., of materials harmful to minors.

### WAR ON DRUGS

A series of bills will soon be introduced that were the results of a task force headed by Mr. Ross Perot to attack the problems of drug abuse in Texas. The bills are:

- 1). Head Shop. This bill will establish a definition of drug paraphernalia and make it a crime to possess, manufacture, sell, deliver, or offer to sell or deliver drug paraphernalia.
- 2). Drug Trafficking. This bill will substantially increase the penalties for offenses involving large amounts of marijuana and other illicit drugs and will allow forfeiture of the proceeds of drug trafficking.
- 3). Professional License Revocation. This bill provides for the mandatory revocation of licenses of health care professionals and attorneys upon finality of a drug-related felony conviction, with no possibility of future reissue.
- 4). Triplicate Prescriptions. This bill establishes a record-keeping program under which the prescribing practitioner, the dispensing pharmacy, and the Department of Public Safety each obtain records regarding prescriptions for controlled substances and those who receive them.
- 5). Sales to Children. The purpose of the bill is to provide higher penalties for persons 21 or older convicted of delivering marijuana or other controlled substances to young people 17 years of age or less.

### ANTI-PORNOGRAPHY

Various groups headed by Morality in Media have developed a package of bills to combat pornography, and they are certainly worthy of the Legislatures consideration. They are:

- 1). Promoting Obscenity. House Bill 19 by Wright would increase the penalty of promoting obscenity from a Class A misdemeanor to a third degree felony.
- 2). Terminate Lease. House Bill 22 by Wright and House Bill 39 by Wallace would allow a landlord to terminate a lease if the lessee uses the property to violate the laws against prostitution or obscenity.
- 3). Organized Criminal Activity. House Bill 21 by Wright and House Bill 31 by Wallace would add the promotion or wholesale promotion of obscenity to the list of crimes relating to organized criminal activity conspiracies.
- 4). Display of Harmful Material to Minors. House Bill 20 by Wright and House Bill 40 by Wallace would prevent the display of material harmful to minors in places frequented by minors.
- 5). Updating the Penal Code. House Bill 23 by Wright and House Bill 38 by Wallace would amend the Penal Code to update recent Supreme

Court decisions by removing the requirement that material must be "utterly without redeeming social value" for minors.

#### INITIATIVE AND REFERENDUM

- 1). Initiative and Referendum. Senate Joint Resolution 2 by Mengden and House Joint Resolution 2 by Smith would give the people of Texas the same rights enjoyed by citizens of 23 other states by having initiative and referendum.

#### MANAGEMENT

- 1). Omnibus Tax Clearance Fund. This fund which served a useful purpose in the past no longer serves that purpose and legislation will be introduced to repeal the fund.
- 2). Highway and Road Preservation. Legislation will be introduced shortly that will allow the Department of Public Safety to weigh vehicles inside city limits, as now required by federal law. Also, there will be legislation to limit the width and weight requirements of certain vehicles, to protect federal funds.
- 3). Omnibus Personnel Bill. Legislation will be introduced to bring a uniform system of handling training, grievances, and other personnel matters to state government.
- 4). State Purchasing. Legislation will be introduced that will make some changes in the recently enacted legislation that created the State Purchasing and General Services Administration. These changes were brought forth as needed by a recent audit of the agency, that will bring the intention of the legislature in creating the agency to the agency.
- 5). Department of Commerce. In the interest of better government legislation will be introduced to create a department of commerce that will combine several agencies dealing with the subject.

#### HIGHER EDUCATION

- 1). Coordinating Board. Legislation will be introduced to insure that the Coordinating Board has input into proposed construction and renovation requests.

#### ELECTIONS

- 1). Minimum Standards. Legislation will be introduced that will set minimum standards for the number of voting devices, ballots, clerks and the like per county and per precinct. Long waits to vote do not serve democracy and these waits must be eliminated.
- 2). Voter Assistance. Legislation will be introduced to require persons assisting a voter in applying for and filling out an absentee ballot by mail to sign as having assisted as well as witnessed the application for the ballot; and to limit to five the number of ballots a person can assist with.



- 3). Primary Ballot Test. Legislation will be introduced to change the loyalty oath requirements on primary ballots which have been ruled unconstitutional.

#### OTHER ITEMS

- 1). Regional Primary. It is to the benefit of Texas to join with our four surrounding states in holding a presidential primary at an early date. Legislation will be introduced to have a presidential primary in early March. Texans have indicated they want a presidential primary in very clear terms.
- 2). Dues Check-off. It is my feeling that the Legislature should decide, as the representatives of the people, what should be or not be deducted from state employee salaries. Senate Bill 118 by Harris will do just that.
- 3). Gasohol Tax Exemption. It is to the benefit of Texas farmers to have gasohol exempted from state gasoline tax to encourage its use. House Bill 24 by Kubiak does this.
- 4). Low Level Nuclear Waste. The Federal Government has turned over to Texas the responsibility to store its own low level nuclear waste. Legislation will shortly be introduced that will offer proper and adequate safeguards for the storage of Texas generated waste. This legislation has been developed by the Texas Energy and Natural Resources Advisory Council.
- 5). Small Business Assistance. Legislation and a proposed Constitutional Amendment will be introduced to help experienced and qualified small business persons start their own business. It is to be modeled after the recently enacted family farm security act.
- 6). State Finance Management Committee. A proposed constitutional amendment will be introduced to allow the Legislature to direct a committee composed of certain House and Senate Members and the Governor to manage certain funds when the Legislature is not in session.

All of these items, in my opinion are worthy of immediate consideration by the Sixty-Seventh Legislature, and I thereby declare them as emergency matters.

Respectfully submitted,

/s/W. P. Clements, Jr.  
Governor

#### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas  
January 22, 1981

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TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE TEXAS 1986 SESQUICENTENNIAL COMMISSION TO BE EFFECTIVE FEBRUARY 1, 1981:

For a six-year term to expire January 31, 1987:

The following are being reappointed:

MRS. OMAR HARVEY of Dallas, Dallas County.

ANN QUIRK of San Antonio, Bexar County.

DR. ROBERT H. WILSON of Dallas, Dallas County.

TO BE A MEMBER OF THE STATE BANKING BOARD effective February 1, 1981:

For a two-year term to expire January 31, 1983:

BOB J. PERRY of Houston, Harris County, is being reappointed.

TO BE A MEMBER OF THE FLEET ADMIRAL CHESTER W. NIMITZ MEMORIAL NAVAL MUSEUM COMMISSION:

For a term to expire February 1, 1983:

NANCY B. NEGLEY of San Antonio, Bexar County, will be filling the unexpired term of Floyd Schneider of San Antonio, Bexar County, who is deceased.

TO BE A MEMBER OF THE STATE COMMISSION FOR THE BLIND:

For a six-year term to expire January 1, 1987:

SUSAN FISCHER of Dallas, Dallas County, is being reappointed.

TO BE A MEMBER OF THE STATE BOARD OF VOCATIONAL NURSE EXAMINERS:

For a six-year term to expire September 6, 1985:

BEN M. McKIBBENS of Harlingen, Cameron County, will be filling the unexpired term of Mark J. Meier of Texas City, Galveston County, who resigned.

TO BE A MEMBER OF THE HOSPITAL ADVISORY COUNCIL:

For a six-year term to expire July 17, 1985:

JAMES A. HALLMARK, M.D. of Fort Worth, Tarrant County, is being reappointed.

TO BE A MEMBER OF THE TEXAS COLLEGE AND UNIVERSITY SYSTEM COORDINATING BOARD TO BE EFFECTIVE IMMEDIATELY:

For a term to expire August 31, 1985:

PRESTON SMITH of Lubbock, Lubbock County, will be filling the unexpired term of Tom B. Rhodes of Dallas, Dallas County, who resigned.

Respectfully submitted,

/s/W. P. Clements  
Governor of Texas

**EXECUTIVE SESSION**

The President announced the time had arrived for an Executive Session. (The Senate on Thursday, January 22, 1981, agreed to Set as Special Order an Executive Session at the conclusion of Morning Call on Monday, January 26, 1981.)

Accordingly, the President at 11:21 o'clock a.m. directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session, the President called the Senate to order as In Legislative Session at 11:52 o'clock a.m.

**REPORT OF STANDING COMMITTEE**

Senator McKnight submitted the following report for the Subcommittee on Nominations:

**TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:**

We, your Subcommittee on Nominations, to which were referred the attached appointments, have had same under consideration, and beg to report them back to the Senate for final consideration.

To be Members of the CREDIT UNION COMMISSION: Calvin Phillips, Dallas County; Clarence Thomas Howell, Potter County; Fritz Walter Gunther, Bexar County.

To be Members of the BATTLESHIP TEXAS COMMISSION: Major General Ross Ayers, Travis County; Admiral Joseph B. Hutchison, Smith County; L. N. Smith, Harris County.

To be Members of the PILOT COMMISSION - PORT OF GALVESTON AND TEXAS CITY: William B. Patton, Galveston County; John P. Doney, Sr., Galveston County; Edward Eugene Minocchi, Galveston County; Edward Jordan Fox, Galveston County; Ed. Mabry, Galveston County.

To be a Member of the FLEET ADMIRAL CHESTER W. NIMITZ MEMORIAL NAVAL MUSEUM COMMISSION: Judge Kenton Lloyd Smith, Blanco County.

To be Members of the RADIATION ADVISORY BOARD: Dr. Gordon L. Black, El Paso County; Dr. Ben DuBilier, Guadalupe County; Ralph Lewin Buell, Brazoria County.

To be Members of the ADVISORY COUNCIL ON COMMUNITY AFFAIRS: Donald W. Harris, Bexar County; The Honorable Cesar Gonzalez, Cameron County; Louis D. Whitehead, Jeff Davis County; The Honorable Woody W. Woods, Tarrant County; Elbert Rudolph Day, Dallas County; Mrs. Marcelyn Marie Darden, Harris County; Edd Hargett, Cass County; Simon Casper Cornelius, Victoria County; Richard D. Brown, Travis County; Jerry W. Chapman, Grayson County; The Honorable Elias Gus Manuel, Galveston County.

To be BRANCH PILOTS - HOUSTON SHIP CHANNEL AND GALVESTON BAR: Capt. M. K. Lawson, Harris County; Capt. Robert E. Adams, Harris County; Capt. Hans Emil Anderson, Harris County; Capt. Elmer Cecil Bell, Harris County; Capt. Robert Daniel Bennett, Harris County; Capt. Jay C. Browning, Harris County; Capt. Edwin Lawrence Bruce, Harris County; Capt. E. L. Burnthorne, Harris County; Capt. Donald A. Clark, Harris County; Capt. Paul Collie, Harris County; Capt. James J. Donnelly, Jr., Harris County; Capt. Roy Richard Faulkner, Harris County; Capt. Raymond J. Fincher, Harris County; Capt. Michael P. Gale, Harris County; Capt. Eugene C. Garrison, Harris County; Capt. H. J. Gibson, Harris County; Capt. Earl C. Goodwin, Jr., Llano County; Capt. J. L. Griffin, Harris County; Capt. Francis M. Kershaw, Harris County; Capt. Charles C. Lary, Jr., Harris County; Capt. L. A. LeBert, Harris County; Capt. Thomas N. Lightsey, Jr., Harris County; Capt. Tommie E. Longino, Harris County; Capt. Billy F. Mahaffey, Harris County; Capt. E. B. Mercer, Jr., Harris County; Capt. Lee Roy Murray, Jr., Harris County; Capt. Pat J. Neely, Jr., Harris County; Capt. John B. Niday, Jr., Harris County; Capt. Walter C. Nixon, Harris County; Capt. L. D. Palmer, Harris County; Capt. Wesley B. Parker, Montgomery County; Capt. James W. Pearson, Harris County; Capt. Thomas E. Phelps, Harris County; Capt. Philip Pizzitola, Harris County; Capt. Neill W. Ray, Harris County; Capt. J. W. Rowland, Harris County; Capt. Charles A. Schuessler, Harris County; Capt. Zane Skinner, Harris County; Capt. William W. Steinhort, Harris County; Capt. Roger H. Sutton, Harris County; Capt. Arthur Tuttle, Jr., Harris County; Capt. Jack Vetter, Harris County; Capt. J. C. Wall, Harris County; Capt. Joseph W. Warfield, Brazoria County; Capt. Robert L. White, Jr., Harris County; Capt. J. L. Williams, Harris County; Capt. Harold B. Willis, Harris County.

To be BRANCH PILOTS - SABINE BAR, PASS AND TRIBUTARIES: Captain William J. Baran, Jefferson County; Capt. Robert C. Brown, Jefferson County; Capt. Michael J. Casey, Jefferson County; Capt. Donald C. Ferguson, Jefferson County; Capt. Michael J. Gerdes, Jefferson County; Capt. Henry H. Guidry, Jefferson County; Capt. Leroy R. Kurtz, Jefferson County; Capt. James O. Meeks, Jefferson County; Capt. Wayne H. Parker, Jefferson County; Capt. George C. Reeser, Jefferson County; Capt. M. A. Scott, Jefferson County; Capt. K. I. Selinidis, Jefferson County; Capt. Thomas B. Smith, Jefferson County; Capt. D. J. Bromley, Jefferson County; Capt. A. M. Castle, Jr., Jefferson County; Capt. Mitchel L. Horne, Jefferson County; Capt. Joseph M. Lupton, Jefferson County; Capt. James W. Throgmorton, Jefferson County; Capt. Leonard S. Tibbetts, Sr., Jefferson County; Capt. Jerry J. McNeil, Orange County; Capt. Phillip C. Smith, Jefferson County.

To be Members of the TEXAS SURPLUS PROPERTY AGENCY: Charles H. Underwood, Jr., Harris County; William H. Borchers, Comal County; Chief Frank Cox, Travis County.

To be Members of the TEXAS COMMISSION ON ALCOHOLISM: Jerry P. Cunningham, Dallas County; Dr. David Wade, Travis County.

To be Members of the STATE COMMISSION FOR THE BLIND: Mrs. Susan Fischer, Dallas County; Emmett E. Moore, Harris County; William C. Conner, Tarrant County; Frank N. Boggus, Cameron County; Mrs. Paula Schuhmacher, Harris County.

To be Members of the CRIME AND NARCOTICS ADVISORY COMMISSION: Dr. Russell L. Deter, El Paso County; Walter C. McFarland, Travis County; Jacques Kiere, Rockwall County.

To be Members of the TEXAS MINING COUNCIL: William R. Kelly, El Paso County; David Paul Cullen, Harris County; Edward O. Vetter, Dallas County; Robert H. Allen, Harris County; The Honorable Mack Wallace, Travis County; John H. Montgomery, Freestone County; George M. Hail, Jr., Harris County; Nathan Irving Reiter, Jr., Bowie County; Dan M. Krausse, Dallas County; Franklin W. Daugherty, Brewster County; James Earl Kellum, Dallas County.

To be Members of the TEXAS BOARD OF ARCHITECTURAL EXAMINERS: Paul Anthony Hesson, Comal County; Raymond A. Gill, Jr., Williamson County; Trammel S. Crow, Dallas County.

To be Members of the TEXAS ADVISORY COUNCIL OF THE LEGAL SERVICES CORPORATION: David Escobar, El Paso County; Howell Cobb, Jefferson County; John F. Ensle, Harris County; Robert Dale Jones, Travis County; Larry W. Langley, Travis County; William R. Anderson, III, Nueces County; Marvin Champlin, Tarrant County; Alvin M. Owsley, Jr., Harris County; Richard Henry Parker, Harris County; Alan Vance Rash, El Paso County.

To be Members of the TEXAS PROSECUTORS COORDINATING COUNCIL: Claude J. Kelley, Jr., Gillespie County; Howard C. Derrick, Schleicher County; Dick W. "Speedy" Hicks, Bandera County; Joe L. Schott, Medina County.

To be Members of the ANTIQUITIES COMMITTEE: Dr. William Curry Holden, Lubbock County; Dr. William Glase Reeder, Travis County.

To be Members of the ADVISORY HOSPITAL COUNCIL: Dr. J. R. Maxfield, Dallas County; Mrs. Jessica Harden, Harris County; Dr. Joseph T. Ainsworth, Harris County; Arthur L. McElmurry, Bowie County.

To be Members of the TEXAS BOARD OF LAND SURVEYING: W. T. Satterwhite, Rockwall County; Calvin Dudley, Bexar County; Robert Spears, Midland County; R. C. Wisdom, Travis County.

To be Members of the TEXAS CLOSEUP BOARD: Mrs. Sarilee Ferguson, McLennan County; Mrs. Margaret Wisdom, Harris County.

To be Members of the TEXAS COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION: Chief Alcus Greer, Harris County; Chief Eugene E. Spillman, Dallas County; Chief Mike B. Perez, Jr., Webb County; Chief Dodd Miller, Dallas County.

To be Members of the TEXAS CIVIL AIR PATROL COMMISSION: Henry C. Smyth, Jr., Dallas County; James Gordon Johnson, El Paso County; Colonel Baylor Haynes, Rockwall County.

To be Members of the COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION: David Lee Collier, Harris County; Mrs. Louise H. Wing, Harris County; W. H. Gardner, Dallas County.

To be BRANCH PILOTS - PORTS OF BRAZOS RIVER HARBOR NAVIGATION DISTRICT OF BRAZORIA COUNTY: Capt. Max Wendell Blanton, Brazoria County; Capt. John Gregory Gunning, Brazoria County.

To be Members of the STATE BOARD OF VETERINARY MEDICAL EXAMINERS: Dr. Demarious L. Frey, Nueces County; Dr. Billy R. Trimmier, Bexar County; Dr. Edward S. Murray, Dickens County.

To be Members of the SCHOOL LAND BOARD: Fred Wulff, McCullough County; Ms. Lola L. Bonner, Aransas County (appointed by Attorney General Mark White.)

To be Members of the TEXAS COMMISSION FOR THE DEAF: Gwendel D. Butler, Travis County; Mrs. Beatrice Groginski, Harris County; Mrs. Gayle Lindsey, Travis County; Larry Evans, Bexar County; Ralph H. White, Travis County; Mrs. Linda Lutz, Webb County; Rudolph D. Gamblin, Potter County; Stanley Eugene Neely, Dallas County; Mrs. John White, Sr., Bexar County.

To be a Member of the STATE DEPOSITORY BOARD: William Elliott, Dallas County.

To be INTERSTATE COMPACT COMMISSIONER FOR THE RED RIVER: Kenneth E. Nelson, Dallas County.

To be Members of the STATE PURCHASING AND GENERAL SERVICES COMMISSION: Henry C. Wendler, Dallas County; Charles C. Gaither, El Paso County; Robert H. Dedman, Dallas County.

To be Members of the STATE BOARD OF MORTICIANS: Mrs. Sam D. Ward, Harris County; Rev. Joe Walts, Val Verde County; T. Grady Baskin, Jr., Smith County; Aubrey E. Fife, Kimble County; Edward E. Palmer, Coryell County.

To be Members of the TEXAS BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS: Mrs. John E. Watson, Harris County; Mrs. Harold F. McDonald, Bexar County; Rev. E. Stanley Branch, Harris County; Dr. Ed Lefeber, Galveston County; Guy Eugene Shuttlesworth, Bastrop County.

To be Members of the TEXAS TOURIST DEVELOPMENT BOARD: Dominic Joseph Bernardi, Jr., El Paso County; William E. Ochse, Bexar County; Ms. Susan Sanford Richardson, Randall County.

To be Members of the PILOT COMMISSION - SABINE BAR, PASS AND TRIBUTARIES: J. Lynn Harden, Jefferson County; C. W. Hubbard, Orange County; Sam Aquilina, Jefferson County; John Cash Smith, Orange County; James M. Stokes, Jefferson County.

To be Members of the GOVERNOR'S COMMISSION ON PHYSICAL FITNESS: Diego M. Vacca, Bexar County; Dr. James Walter Simmons, Bexar County; Robert Paul Higley, Travis County; William R. Smith, Harris County; Gilbert E. Steinke, Kleberg County.

To be a Member of the STATE BOARD OF CANVASSERS: Robert Rowland, Travis County.

To be Members of the ADVISORY COUNCIL ON SMALL BUSINESS ASSISTANCE: Jack M. Fields, Harris County; Ms. Martha D. James, Travis County.

To be Members of the METRIC SYSTEM ADVISORY COUNCIL: William F. Nicol, Dallas County; Ms. Carolyn R. Bacon, Dallas County; Mrs. Scott Toothaker, Hidalgo County; R. Walter Cunningham, Harris County; Ms. Frances Jackson, Gregg County; Ignacio Cisneros, Tom Green County; Ms. Raquel Gonzalez, Webb County; Dr. Guadalupe Quintanilla, Harris County; Dr. Alice Kidd, Travis County; The Honorable Frank Eikenburg, Collin County.

To be Members of the STATE BOARD OF POLYGRAPH EXAMINERS: William W. Fisher, Harris County; William R. Knight, Ector County.

To be Members of the COMMISSION ON SERVICES TO CHILDREN AND YOUTH: Mrs. Pat Perkins Wolverton, Wichita County; Mrs. Penny Butler, Harris County; Mrs. Mary Katherine Lust, Smith County; Ms. Allee J. Mitchell, Harris County; Mrs. Ruby Lee Piester, Jasper County; Donald Eric Thomas, Dallas County; Miss Joannie Lynn Strawn, Collin County.

To be Members of the TEXAS BOARD OF IRRIGATORS: Robert I. Goehrs, Harris County; Weldon Pool, Smith County; Samuel Dale Ousley, Tarrant County; Henry V. Alford, Collin County; Douglas Hawthorne, Dallas County; Hugh Rushing, Jr., Travis County.

To be BRANCH PILOTS - PORTS OF GALVESTON COUNTY: Capt. George D. Doherty, Galveston County; Capt. John M. Lane, Galveston County; Capt. Charles R. Gilchrist, II, Galveston County; Capt. Jack H. Smith, Galveston County.

To be BRANCH PILOTS - BRAZOS-SANTIAGO PASS, BAR AND TRIBUTARIES: Capt. Donald F. Willett, Cameron County; Capt. E. S. Drake, Cameron County.

To be Members of the TEXAS JUDICIAL COUNCIL: The Honorable John L. McCraw, Collin County; The Honorable Robert Owen Smith, Travis County; David Diaz, Nueces County.

To be Members of the TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY: James D. Ingram, Brazos County; Earl Lairson, Harris County; Mrs. Sue Wegenhoft Briscoe, Colorado County; Andrew Jitkoff, Bexar County; Michael Lancaster Wilson, Galveston County; James J. Pendergast, Jr., Hays County.

To be Members of the DISTRICT REVIEW COMMITTEES: Dr. Marion Stahl, Travis County; Dr. Thomas Paschal Clarke, Harris County; Dr. Robert G. Haman, Dallas County; Dr. William Gordon McGee, El Paso County; Dr. Homer R. Goehrs, Travis County.

To be Members of the STATE BOARD OF BARBER EXAMINERS: Mrs. Doris Frazier, Dallas County; Charles Holcomb, Houston County; Bill G. Glasson, Nueces County.

To be Members of GOVERNOR'S COMMITTEE ON AGING: Mrs. Shelma Ahrens, Dallas County; George W. Arrington, Hemphill County; Tony G. Wakin, Jr., Harris County; James Roberts, Andrews County.

To be Members of the STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS: Frank B. Harrell, Dallas County; Edwin H. Blaschke, Harris County.

To be Members of the COMMISSION ON UNIFORM STATE LAWS: Millard H. Ruud, Travis County; Edmund R. Wood, Dallas County.

To be Members of the RIO GRANDE VALLEY POLLUTION CONTROL AUTHORITY: Glynn Morgan, Hidalgo County; John Northcutt, Hidalgo County; Dr. Dean H. Wooldridge, Hidalgo County.

To be Members of the TEXAS STATE LIBRARY AND ARCHIVES COMMISSION: The Honorable Price Daniel, Sr., Liberty County; Mrs. Ed Palm, Tarrant County.

To be Members of the STATE BOARD OF PLUMBING EXAMINERS: Maurice S. Batiste, Harris County; A. Carroll Brodnax, Washington County.

To be a Member of the OCCUPATIONAL SAFETY BOARD: George Smith, Harris County.

To be Members of the FAMILY PRACTICE RESIDENCY ADVISORY COMMITTEE: Dr. Exalton A. Delco, Jr., Travis County; Dan Martinez, Bexar County.

To be Members of the STATE BOARD OF VOCATIONAL NURSE EXAMINERS: Mrs. Elizabeth Cooper, Wichita County; Mark J. Meier, Galveston County; Dr. R. D. Douglas, Jr., Marion County; Mrs. Donetta Goodall, Travis County.

To be Members of the TEXAS WATER WELL DRILLERS BOARD: W. L. Rehkop, Henderson County; Tommy C. Busseff, Montgomery County.

To be a Member of the STATE BOARD OF MEDICAL EXAMINERS: Dr. Paul J. Cunningham, Galveston County.

To be Director - DIVISION OF STATE-FEDERAL RELATIONS: Dary Stone, Dallas County; Dave Martinez, Bexar County.

To be Members of the TEXAS GUARANTEED STUDENT LOAN CORPORATION: Gary W. Bruner, Tarrant County; Joe L. McCormick, Harris County; Milton A. Morris, Randall County; Mrs. Naomi W. Lede, Harris County; Dr. John C. Stevens, Taylor County; George M. Crews, Brown County; Ms. Fran A. Burke, Dallas County; Joseph C. Garza, Hidalgo County; Mrs. Shirley M. Binder, Travis County.



To be Members of the TEXAS SCHOOL FOR THE BLIND - GOVERNING BOARD: Ms. Dorothy Jo Knight, Lubbock County; John Watson, Hopkins County; Mrs. Olivia Chavez Blundell, El Paso County; Jack English, Dallas County; Mrs. Mary Lillian Anderson, Denton County; Dr. Joe D. Hewett, McLennan County; Dr. Virginia Sowell, Lubbock County; William P. Gibson, Harris County; Thomas Cue Baird, Bell County.

To be Branch Pilots - PORT ARANSAS BAR, CORPUS CHRISTI BAY AND TRIBUTARIES: Capt. Billy Joe Robbins, Nueces County; Capt. John O. Teller, Nueces County; Capt. Frederick J. Herbert, Nueces County; Capt. Anton Thomas Mathews, Nueces County; Capt. Van A. Court, Jr., Nueces County; Capt. Daniel Allen Dubose, Nueces County; Capt. Roy Clayton Daniel, Nueces County; Capt. John Robert Williams, San Patricio County; Capt. Buford E. McRae, San Patricio County; Capt. Robert Hans Jorgensen, Nueces County.

To be Members of the TEXAS BOARD OF HEALTH DENTAL ADVISORY COMMITTEE: Dr. Tom H. Hall, Gregg County; Dr. James H. Simmons, Tarrant County; Dr. Foster Kidd, Dallas County; Mrs. Barbara Hutchins Mantooh, Harris County; Norman Allen Cohen, Dallas County; Dr. Richard H. Carnahan, Jr., Bexar County; Mrs. Penelope Terrell, Travis County.

To be Members of the TEXAS SCHOOL FOR THE DEAF - GOVERNING BOARD: Mrs. Marjorie Moore, Kinney County; Jack W. Prescott, Bell County; Glynn Whittemore, Harris County; William C. Johnson, Bexar County; Mrs. Avril Thompson, Harris County; Larry Evans, Bexar County; Mrs. Gayle Lindsey, Travis County; Mrs. Polly Piercy Walton, Jefferson County; Allan F. Bubeck, Jr., Dallas County.

To be Members of the STATE PENSION REVIEW BOARD: . Everett L. Anschutz, Hays County; Richard White, Harris County; Stuart Tucker, Nueces County; John Dean Gorham, Travis County; Charles Miller, Harris County; James M. Brelsford, Harris County; Samuel Earl Macklin, Bexar County.

To be Members of the STATE BOARD OF CHIROPRACTIC EXAMINERS: Dr. R. L. Matkin, Titus County; Dr. Bill G. Williams, McLennan County; Dr. Jerry E. Whitehead, Ochiltree County.

To be Members of the TEXAS 1986 SESQUICENTENNIAL COMMISSION: Joe Dealey, Dallas County; Dr. S. L. Abbott, El Paso County; Mrs. Ann Quirk, Bexar County; Dr. Robert H. Wilson, Dallas County; Mrs. Omar Harvey, Dallas County; Mrs. Risher Randall, Harris County; Mrs. Nancy E. Canion, Galveston County; Mrs. Martha H. Garner, Randall County; Vidal Cantu, Jr., Webb County; Mrs. Margaret V. A. Williams, Harris County.

To be Members of the TEXAS STRUCTURAL PEST CONTROL BOARD: George S. Elo, Bexar County; L. J. Cohen, Nueces County; Clyde T. Lowe, Rusk County; Charles K. Glasse, Harris County; David Melass, Brazoria County; Perfecto R. Rodriguez, Fort Bend County; William F. Brown, Jr., Bexar County.

To be members of the TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS: Dr. Joan S. Anderson, Harris County; Dr. Robert P. Anderson, Lubbock County.

To be Members of the STATE CONSERVATORSHIP BOARD: Jack N. Roper, Sr., Dallas County; William M. Noble, Victoria County; Frank June'll, Tom Green County.

To be Members of the TEACHERS PROFESSIONAL PRACTICES COMMISSION: Mrs. Farris W. Sharp, Dallas County; Mrs. JoRene Newton, Kleberg County; Mrs. Linda Bohls Ellis, Val Verde County; Mrs. Betty Starling, Hays County; Mrs. Geraldine Schwarzbach, El Paso County; David R. LeMaster, Midland County; Dr. Charles W. Benson, El Paso County; William E. Crockett, Fort Bend County; William James Campion, Henderson County.

To be Members of the Board of Trustees, TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM: The Honorable Carl S. Smith, Harris County; Wilburn Rust, Travis County; The Honorable Bill D. Hicks, Ector County.

To be Members of the ADVISORY COUNCIL ON YOUTH CAMP SAFETY: Bryan L. Walker, Denton County; Raymond B. Bean, Dallas County; Mrs. Thomas P. Hubbard, Dallas County; Silas B. Ragsdale, Jr., Kerr County; Rodney James Kidd, Travis County; Dr. H. Phillip Hook, Smith County; Joseph C. Nelson, Collin County; Carl Seifert, Denton County; Miss Louise Fargher, Tarrant County; Carl Hawkins, Kerr County; Mrs. Rosenna Szilak, Bexar County.

To be a Member of the TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS: David Allan Hardison, Gillespie County.

To be Members of the EGG MARKETING ADVISORY BOARD: Lonnie Alfred Pilgrim, Camp County; Edgar H. Burton, Angelina County; Kervin E. Jacob, Harris County; Delvin R. Barrett, Brazos County.

To be Members of the TEXAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS: Dr. Richard Riess, Bell County; Mrs. Alice Scruggs, El Paso County; Mrs. Thomas B. Brennan, Harris County.

To be a Member of Board of Trustees, MUNICIPAL RETIREMENT SYSTEM: Leland D. Nelson, Dallas County.

To be Members of the STATE SEED AND PLANT BOARD: Dr. Dwane Miller, Lubbock County; Blake Williams, Jr., Bexar County; Dr. E. C. A. (Ed) Runge, Brazos County; J. Owen Gilbreath, Lubbock County; Cliff R. Todd, Travis County.

To be Members of the TEXAS COMMITTEE ON PURCHASES OF BLIND-MADE PRODUCTS AND SERVICES: Robert E. Flaherty, Travis County; Ray Vaughn, Travis County; Mrs. Jane D. Pieper, Bexar County; Marion Truitt, Taylor County.

To be a Member of the STATE BOARD OF NURSE EXAMINERS: Dr. Eileen Jacobi, El Paso County.

To be Members of the FAMILY FARM ADVISORY COUNCIL: The Honorable Eristus Sams, Waller County; Kenneth Irwin, Hansford County; John W. Jones, McCulloch County; Dr. John A. Hopkin, Brazos County; Felix

Parmley, Nacogdoches County; Charles Wilson, Hardeman County; J. T. Garrett, Brazoria County; Jerry Holton Jones, Lubbock County; Jack H. Barton, Harris County.

To be a Branch Pilot - MATAGORDA SHIP CHANNEL FROM THE LAVACA BAR TO THE PORT OF LAVACA-POINT COMFORT: Capt. A. T. Gibson, Calhoun County.

To be Members of the Board of Trustees - FIRE FIGHTERS' RELIEF AND RETIREMENT FUND: Chief Bobby Joe Looney, Tarrant County; Chief E. L. Tinker Taylor, Collin County.

To be Members of the HOSPITAL LICENSING ADVISORY COUNCIL: Mrs. Jo Cherry Collins, Dallas County; Joe M. Stevens, Gonzales County; Guy H. Dalrymple, Jefferson County; Mrs. Dorothea Ann Mather, Harris County; Dr. C. Richard Stasney, Harris County.

To be Members of the TEXAS STATE BOARD OF PODIATRY EXAMINERS: Dr. Isaac Willis, Gregg County; Dr. Ruth Y. Ackers, Taylor County.

To be Members of the STATE RURAL MEDICAL EDUCATION BOARD: Dr. Joel Hartman Johnson, Washington County; Leo L. Westerholm, Calhoun County.

To be Members of the TEXAS WORK FURLOUGH PROGRAM ADVISORY BOARD: James F. Johnson, Tarrant County; Dr. William A. Lufburrow, Harris County; G. Keith Jenkins, Montgomery County; B. M. Devora, Harris County.

To be Members of the STATE BOARD OF PHARMACY: R. E. Post, Jr., Harris County; Albert E. Hopkins, Sr., Harris County; Bill C. Pittman, Randall County.

To be a Member of the STATE BOARD OF DENTAL EXAMINERS: Dr. Rene Holt, Rusk County.

To be a Member of the SAN JACINTO HISTORICAL ADVISORY BOARD: Mrs. Ward N. Adkins, Harris County.

To be a Member of the Board of Regents, PAN AMERICAN UNIVERSITY: Mrs. Billie C. Pickard, Willacy County.

To be Judge of the 242ND JUDICIAL DISTRICT: The Honorable Marvin F. Marshall, Hale County.

+ indicates two successive terms

\* indicates resigned

\*\*indicates deceased

Senator McKnight moved confirmation of the nominees reported by the Subcommittee on Nominations.

The President asked if there were requests to sever nominees.

Senator Truan requested that Mrs. Billie C. Pickard to be a Member of Board of Regents of Pan American University be severed.

Senator Santiesteban requested that Dr. S. L. Abbott to be a Member of the Texas 1986 Sesquicentennial Commission be severed.

The requests were granted.

#### **NOMINEES CONFIRMED**

Senator McKnight moved the confirmation of those not severed and reported by the Subcommittee on Nominations.

Those nominees were confirmed by the following vote: Yeas 28, Nays 0.

Absent-excused: Andujar, Farabee.

The Senate refused to confirm the appointment of Mrs. Pickard as a Member of the Board of Regents of Pan American University by the following vote: Yeas 0, Nays 28.

Absent-excused: Andujar, Farabee.

On motion of Senator McKnight and by unanimous consent, the nomination of Dr. Abbott as a Member of the Sesquicentennial Commission will be postponed for further consideration by the Senate.

On motion of Senator McKnight and by unanimous consent, all necessary rules were suspended in order to consider the nomination of The Honorable Preston Smith to be a Member of the Texas College and University System Coordinating Board.

On motion of Senator McKnight, Governor Smith was confirmed by the following vote: Yeas 28, Nays 0.

Absent-excused: Andujar, Farabee.

#### **COMMITTEE SUBSTITUTE SENATE BILL 1 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 1**, Relating to state employees' compensation.

The bill was read second time.

Senator Leedom offered the following amendment to the bill:

Amend **C.S.S.B. 1** by striking all below the enacting clause and substituting the following:

**SECTION 1. COMPENSATION INCREASE.** Each state agency, board, commission, department, or institution for which appropriations out of the state treasury were made by the 66th Legislature shall pay an increase in

monthly compensation to each of its employees. The increase is in addition to other compensation that is to be paid from legislative appropriations or from other available funds. The increase may not be paid to employees of the house of representatives or the senate without the approval of the appropriate committees of the legislature. The increase shall not be applied to the compensation of any person paid a salary set by the constitution. The initial payment of the increase is for employment during the first calendar month that begins after the effective date of this Act.

**SECTION 2. AMOUNT OF INCREASE.** (a) The increase in compensation for an employee position is \$50 or 5.1 percent of the monthly compensation rate in effect for the position on January 1, 1981, whichever amount is greater.

(b) If compensation for a position is based on a contract salary for a period of less than 12 months, such as for a faculty member in a university, the monthly compensation rate that determines the percentage increase for the position is the total contract salary divided by the number of months in the contract period.

(c) If an employee holds a position that is covered by the state's position classification plan and that is classified in a salary group by the current General Appropriations Act or holds a position that is covered by a position classification plan of an institution of higher education, the increase in compensation shall be paid to the employee regardless of the maximum limit imposed on the salary group by that Act or the position classification plan of an institution of higher education.

**SECTION 3. INCREASE DETERMINED ON FULL-TIME EMPLOYMENT.** An increase in compensation under this Act shall be determined on the basis of regular full-time employment. A person who is paid hourly wages shall receive an increase in compensation in the proportion that the number of hours worked bears to regular full-time employment for that type of work.

**SECTION 4. INCREASE PAID FROM TREASURY FUNDS.** A state agency, board, commission, department, or institution shall pay the increase in compensation from its funds in the state treasury in the same proportion as the employee's regular compensation.

**SECTION 5. AUXILIARY EMPLOYEES OF INSTITUTIONS OF HIGHER EDUCATION.** Within the limit of institutional funds available, the increase in compensation shall be granted to auxiliary employees of institutions of higher education.

**SECTION 6. TRANSFER OF FUNDS TO PRESERVE FUND EQUITIES.** To preserve fund equities, the comptroller of public accounts shall transfer to the general revenue fund an amount necessary to reimburse the fund for the payment of the increase in compensation. The amount shall be transferred from the unexpended and unencumbered cash balances in the special funds in the state treasury on August 31, 1981. If the unexpended and unencumbered cash balances are insufficient to completely reimburse the general revenue fund, the legislature shall appropriate from the income to the special funds during the state fiscal biennium beginning September 1, 1981, an amount necessary to completely reimburse the general revenue fund for the payment of the increase in compensation.

**SECTION 7. TRANSFER OF FUNDS TO PAY INCREASE.** (a) The comptroller of public accounts may transfer to accounts in the general revenue fund and to special funds in the state treasury any funds appropriated from the general revenue fund to pay the increase in compensation.

(b) A state agency, board, commission, department, or institution seeking reimbursement for an expenditure made from funds held in the state treasury shall file a certified statement with the comptroller detailing the actual cost of increases in compensation under this Act. The statement shall be filed during the month after the month in which the expenditure is made from the state treasury and shall reconcile to the comptroller financial statements furnished to the agency, board, commission, department, or institution. The comptroller may prescribe the information necessary for qualification for the reimbursement.

**SECTION 8. SUPPLEMENTATION RESTRICTIONS SUSPENDED.** Restrictions placed on the supplementation of special funds in the state treasury with general revenue funds by other provisions of general law are suspended for the purposes of this Act.

**SECTION 9. AUTHORITY OF COMPTROLLER.** The comptroller of public accounts shall adopt procedures necessary to administer this Act. Before funds are disbursed under this Act, the comptroller may require appropriate persons to file information necessary for the comptroller to carry out this Act. The information shall include a statement from each state agency, board, commission, department, or institution showing the compensation of each employee position, including auxiliary, staff, and other employee positions compensated from institutional funds of institutions of higher education that are in or outside the state treasury, and a statement showing the fund from which the compensation was paid on January 31, 1981.

**SECTION 10. EXPIRATION.** (a) Except as provided by Subsection (b) of this section, this Act expires September 1, 1981.

(b) Section 6 of this Act expires September 1, 1983.

**SECTION 11. EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

On motion of Senator Doggett, the amendment was tabled by the following vote: Yeas 20, Nays 7, Paired Vote 1.

Yeas: Blake, Brooks, Caperton, Doggett, Glasgow, Howard, Jones, Kothmann, Mauzy, McKnight, Parker, Santiesteban, Sarpalius, Short, Snelson, Traeger, Truan, Vale, Williams, Wilson.

Nays: Brown, Harris, Leedom, Mengden, Ogg, Richards, Travis.

Absent-excused: Andujar.

#### PAIRED VOTE

Senator Meier (present), who would vote "Nay", with Senator Farabee (absent), who would vote "Yea".

The bill was passed to engrossment.

**MOTION TO PLACE  
COMMITTEE SUBSTITUTE SENATE BILL 1 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 1 be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 22, Nays 5, Paired Vote 1. (Not receiving four-fifths vote of Members present)

Yeas: Blake, Brooks, Caperton, Doggett, Glasgow, Harris, Howard, Jones, Kothmann, Mauzy, McKnight, Ogg, Parker, Santiesteban, Sarpalius, Short, Snelson, Traeger, Truan, Vale, Williams, Wilson.

Nays: Brown, Leedom, Mengden, Richards, Travis.

Absent-excused: Andujar.

**PAIRED VOTE**

Senator Meier (present), who would vote "Nay", with Senator Farabee (absent), who would vote "Yea".

**COMMITTEE SUBSTITUTE SENATE BILL 3 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 3, Relating to an appropriation for state employees' compensation.

The bill was read second time and was passed to engrossment.

**ADJOURNMENT**

Senator Brooks moved the Senate stand adjourned until 12:40 o'clock p.m. today.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Blake, Brooks, Caperton, Doggett, Glasgow, Harris, Howard, Jones, Kothmann, Mauzy, McKnight, Mengden, Ogg, Parker, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Vale, Williams, Wilson.

Nays: Brown, Leedom, Meier, Richards.

Absent-excused: Andujar, Farabee.

Accordingly, the Senate at 12:32 o'clock p.m. adjourned until 12:40 o'clock p.m. today.

In Memory

of

The Honorable Olin E. Teague

Senator Caperton offered the following resolution:

(Senate Concurrent Resolution 21)

WHEREAS, The State of Texas has been the home of many great Americans, and one of the most illustrious of these Texans was The Honorable Olin E. Teague, war hero and statesman, who died January 23, 1981; and

WHEREAS, Born on a Woodward, Oklahoma, farm in 1910, he acquired the lifelong nickname of "Tiger" as a high school basketball player; the nickname was to characterize the fighting spirit and the fortitude he later exhibited on the battlefield and in the halls of Congress; and

WHEREAS, Olin Teague, who spent most of his life as a resident of College Station, worked his way through Texas A & M University and upon being graduated in 1932 was commissioned a second Lieutenant in the Army Reserves; and

WHEREAS, In 1940, he volunteered for active duty and commanded in combat the First Battalion of the 314th Infantry Regiment, 79th Division. Lieutenant Colonel Teague was wounded many times during a period of service beginning with the D-Day invasion and including the Battle of the Bulge. This exceptional officer was America's second most decorated World War II combat soldier; and

WHEREAS, Lieutenant Colonel Teague spent two years in an Army hospital recuperating from his combat wounds. He was discharged from the hospital in 1946 to take a seat in the United States House of Representatives, which he had won in a special election while recuperating; and

WHEREAS, From the beginning of his long tenure in Congress, Congressman Teague promoted veterans' programs. He became a member of the Veterans Affairs Committee when it was created in 1947 and served as its chairman from 1955 to 1973. Earning the title of "Mr. Veteran," he authored dozens of acts that increased veterans' benefits and improved veterans' medical treatment facilities. To honor his achievement in behalf of veterans, Congress renamed the V.A. hospital in Temple the Olin E. Teague Veterans Hospital; and

WHEREAS, A strong supporter of the nation's space program, Congressman Teague took a seat on the newly formed Science and Technology Committee in 1960, and served as chairman of the Subcommittee on Manned Space Flight. He was instrumental in the 1960's in producing legislation that resulted in the United States being the first nation to land a man on the moon. In 1973 he became chairman of the full committee, a post he held until his retirement in January, 1979; and

WHEREAS, In recognition of his promotion of the space program and other scientific research, a new science and research facility at Texas A & M University was named The Olin E. Teague Research Center in 1966; and

WHEREAS, Congressman Teague maintained close ties with his beloved alma mater, Texas A & M University. The University awarded him an honorary doctor of laws degree in 1956 and presented to him the Distinguished Alumni Award in 1966. His congressional papers are housed in a library on the university campus; and